

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ENTERED ON DOCKET
3-9-00 PURSUANT

VICTOR MANUEL SOLIS, MARTA
MILAGROS ORTIZ-GALLIO and the conjugal
partnership composed by them

Plaintiffs

vs

CIVIL 98-1879CCC

PHILLIPS PUERTO RICO CORE, INC.

Defendant

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U.S. DISTRICT COURT
SAN JUAN, P.R.

JUDGMENT

This action is before us on defendant's Motions Requesting Partial Summary Judgment. (docket entries 29 and 30). Plaintiffs opposed the motions (docket entry 34), and the defendant filed a reply (docket entry 36). The matter was sent to the Magistrate Judge who filed a report and recommendation (docket entry 46), to which no objections have been filed.

Having reviewed the motions and their supporting documents, as well as the report and recommendation, the Court adopts the Magistrate Judge's recommendation. The Magistrate, however, did not make a specific recommendation as to the claim under Law 100. Since it is concluded that there was no constructive discharge inasmuch as Solis' position ended because of the provisions of the long-term disability plan, this claim must also fall.

Accordingly, we GRANT the motions for partial summary judgment and dismiss all remaining claims.

SO ORDERED AND ADJUDGED.

At San Juan, Puerto Rico, on March 7, 1999.

s/c. L. Prieto
C. Velásquez
R. Fries
A. Alvarez
3-9-00
RCS


CARMEN CONSUELO CEREZO
United States District Judge

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